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I hereby certify that this correspondence, along with any paper referred to as being attached or enclosed, is being facsimile transmitted to the U.S. Patent and Trademark Office, Mail Stop AF, Commissioner for Patents at Fax No. 703-872-9306, Attention: Examiner Michele Flood on July 30, 2004.

Name: Doris B. McNeillSignature: Doris B. McNeill**OFFICIAL**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. RU-0173

Applicant: Chen et al.

Serial No.: 09/992,860

Group Art Unit No.: 1654

Filed: February 14, 2001

Examiner: Flood, M.

For: Black Tea Extract for Prevention of Disease

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT UNDER 37 CFR § 1.116**

Sir:

This Amendment is responsive to the Office Action dated December 17, 2003 (Paper No. 1203) (herein referred to as "Office Action").

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.

A Notice of Appeal together with a petition for three-month extension of time has been filed on June 17, 2004. Should an additional extension of time is required, Applicant hereby requests the Commissioner to consider this paper as a petition for such extension of time.

The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 and 1.17 which may be required by this paper to Deposit Account No. 18-0586.

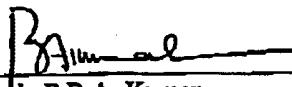
Serial No. 09/992,860  
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**V. Conclusion**

Applicant believes this response to be a full and complete response to the Office Action. Accordingly, favorable reconsideration in view of this response and allowance of all of the pending claims are earnestly solicited.

Respectfully submitted,

July 30, 2004

  
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